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Attorney for Plaintiff Elebario

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ROBERT RAY ELEBARIO JR.

Civil No. 06-06797 PJH

Plaintiff,  
v.

MICHAEL J. ASTRUE, Commissioner  
of Social Security Administration

STIPULATION AND ORDER  
APPROVING COMPROMISE  
SETTLEMENT OF ATTORNEY  
FEES PURSUANT TO THE EQUAL  
ACCESS TO JUSTICE ACT

Defendant.

The plaintiff's attorney having met the criteria of L.R. 54-5,  
by meeting and conferring with defendant, IT IS HEREBY STIPULATED  
by and between the parties through their undersigned counsel,  
subject to approval by the Court, that plaintiff's attorney receive  
the following payments:

1. Defendant shall pay FIVE THOUSAND FIVE HUNDRED DOLLARS  
(\$5,500.00), pursuant to the Equal Access to Justice Act (EAJA),  
for attorney fees incurred in this court action.<sup>1</sup> The check is to  
be payable to plaintiff's counsel as Plaintiff's assignee:

GLENN M. CLARK, 2222 MARTIN LUTHER KING JR. WAY, BERKELEY, CA 94704  
(510) 848-7200

<sup>1</sup>/. This amount includes costs.

2. This is a settlement of plaintiff's request for attorney fees pursuant to EAJA, and does not constitute an admission of liability or fault on the part of defendant under the Equal Access to Justice Act.

3. Payment of the FIVE THOUSAND FIVE HUNDRED DOLLARS (\$5,500.00) EAJA fees incurred in this court action, will constitute a complete release from and bar to any and all claims, rights, causes of action, liens or subrogated interests relating to attorney fees pursuant to the EAJA as a result of this court action.

DATED: 8/23/05

s/

GLENN M. CLARK

Attorney for Plaintiff

DATED: 8/28/07

By: s/

JAIME L. PRECIADO

Special Assistant United States

Attorney for Defendant

PURSUANT TO THE STIPULATION, IT IS SO ORDERED:

Dated: 8/30/07

[elebr.eaja.ord]

gmc#94A



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District Judge